IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

LETTERS PATENT APPEAL NO.244 OF 2007
IN
WRIT PETITION NO.5735 OF 2007
WITH
CIVIL APPLICATION NO.375 OF 2007

Ravindra M. Nimkar. ...Appellant.
Vs.
Smt. Sunita Atmaram Wadkar & Ors. ...Respondents.
....
Mr. A. V. Bukhari with Mr. Amol B. Desai for the Appellant.
Mr. Y. M. Pendse for Respondent No.1.
Mr.Ambar Joshi for Respondent Nos.2 to 17 and 19.
.....
CORAM : SMT.RANJANA DESAI &
DR.D.Y.CHANDRACHUD, JJ.

October 30, 2007.

P.C. :

We have heard learned Counsel appearing for the parties. We are informed that the dues of the workers are to the tune of Rs.6,66,120/-. We are informed that Respondent No.1 has deposited in this Court an amount of Rs.77,834/-. Learned Counsel appearing for the Appellant states that the entire amount of Rs.6,66,120/- shall be deposited by the appellant without prejudice to his rights and

contentions. Out of this amount, Rs.4,41,673.20 are the wages of the workers from November 2006 to May 2007. He states that this amount will be deposited by the Appellant in the Industrial Court at Thane within four weeks from today. We direct that the amount of Rs.77,834/- which is deposited by the the First Respondent in this Court, be transferred to the Industrial Court at Thane. Upon receipt of the said amount, the Industrial Court, Thane, shall invest the same in a Nationalised Bank on usual terms and it shall remain so invested till the complaint is finally decided.

2. In view of the above, Respondent No.1 and the Appellant shall sign the cheques so that the workers dues can be cleared. Parties agree that they shall jointly sign the cheques in respect of the dues of the workers arising out of statutory liabilities.

3. Liberty to the workers to apply before the Industrial Court for the withdrawal of the amount.

4. The Appeal is disposed of in the above terms.

5. In view of the disposal of the appeal, the Civil Application does not survive and the same is disposed of.

SMT.RANJANA DESAI, J.

Dr.D.Y. CHANDRACHUD, J.